

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, OCTOBER 20, 1999
7:00 P.M.**

1. ROLL CALL

Present: Council Members – Hitchcock, Mann, Nakanishi, Pennino and Land (Mayor)

Absent: Council Members – None

Also Present: City Manager Flynn, Deputy City Manager Keeter, Economic Development Director Goehring, Public Works Director Prima, Community Development Director Bartlam, Finance Director McAthie, Human Resources Director Narloch, Police Chief Hansen, Fire Chief Kenley, City Attorney Hays and City Clerk Reimche

2. INVOCATION

The invocation was given by Diane Garga, a representative of the Baha'i.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Lodi-Woodbridge Boy Scout Troop No. 291.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Mayor Land presented the Award of Financial Reporting Achievement to Ruby Paiste, Accounting Manager, and to Cory Wadlow, Accountant II. This achievement was awarded to the City of Lodi by the Government Finance Officers Association of the United States and Canada for its comprehensive annual financial report. This is the highest form of recognition in the area of governmental accounting and financial reporting.
- b) Sweta Patel with the Greater Lodi Area Youth Commission acknowledged the Teen of the Month, Jaymee Rhodes from Liberty High School, and the Honorary Teen of the Month, Kelly Wolfe from Lodi High School.
- c) Mayor Land presented a plaque to Gina Luis, 2nd Grader from Vinewood School, who was the winner of the "The Great Escape" planning grid contest for National Fire Prevention Week.
- d) John Johnson with the Lodi Sports Foundation presented the City with a check in the amount of \$2,000 as final payment of their loan for conceptual renderings of an indoor sports center.
- e) Mary Laughlin, Executive Director of the Big Brothers, Big Sisters of San Joaquin County, made a presentation to the City Council regarding its Lodi programs and commended members of the City of Lodi staff for their participation.

5. CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Pennino, Hitchcock second, unanimously approved the following items hereinafter set forth **except those otherwise noted**:

- a) Claims were approved in the amount of \$4,968,511.65.

- b) The minutes of September 29, 1999 (Joint Meeting with the East Side Improvement Committee), October 5, 1999 (Joint Meeting with the Recreation Commission), October 6, 1999 (Regular Meeting) and October 7, 1999 (Joint Meeting with representatives from water agencies) were approved as written.
- c) Adopted Resolution No. 99-156 authorizing the purchase of a replacement photocopier for the Community Center at Hutchins Street Square from Business Office Systems, in Stockton, in the amount of \$10,435.59.
- d) Accepted the improvements under Type II Polymer Modified Slurry Seal, Various City Streets, 1999 contract, and directed the City Engineer to file a Notice of Completion with the County Recorder's office.
- e) Adopted Resolution No. 99-157 accepting the development improvements for Towne Ranch, Unit No. 7, Tract No. 2880 and took the following additional actions:
 - Approved the Improvement Agreement Addendum and directed the City Manager and City Clerk to execute the Addendum on behalf of the City; and
 - Appropriated funds for required reimbursements.
- f) Agenda item #E-6 entitled, "Accept a portion of the improvements in Colvin Ranch, Tract No. 2430" was pulled from the agenda pursuant to staff's request.
- g) Agenda item #E-7 entitled, "Authorize City Manager to execute an agreement between the City of Lodi and the Sunnyside Water and Street Lighting Maintenance District for a Water Line Interconnect Project" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- h) Agenda item #E-8 entitled, "Approve the Functional Classification System Map for streets within the City of Lodi" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- i) Agenda item #E-9 entitled, "Authorize the City Manager to execute a schematic design contract for the new Police building, 200 block of West Elm Street" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- j) Set Public Hearing for November 3, 1999 to consider unmet transit needs in Lodi.
- k) Agenda item #E-11 entitled, "Amend Traffic Resolution to adopt multi-way stop at Elm Street and Evergreen Drive" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.
- l) Agenda item #E-12 entitled, "Addendum to Boys and Girls Club City lease to accommodate F&M Bank financing" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar.

6. ACTION ON ITEMS REMOVED FROM CONSENT CALENDAR

- a) Agenda item #E-7 entitled, "Authorize City Manager to execute an agreement between the City of Lodi and the Sunnyside Water and Street Lighting Maintenance District for a Water Line Interconnect Project".

Public Works Director Prima reminded the City Council that in May 1998, Council approved a request from San Joaquin County to provide water to Sunnyside Estates Subdivision, a 21-lot subdivision located just north of Harney Lane on the east side of Lower Sacramento Road. This subdivision is outside the City limits.

The County has now obtained a Federal Grant to cover the majority of the cost of installing a water line to connect the City's system to the system in the subdivision. The plans and specifications for this connecting line are almost completed and the County will be going to bid shortly. After the water main is completed, the County will dedicate it to the City. The City will maintain the line up to the connection to the County's existing system within the subdivision. The County will retain responsibility for maintaining the water system within the subdivision.

The County will pay the appropriate Development Impact Mitigation Fee (water) in effect on the day of approval of this agreement upon acceptance of the project for maintenance by the City. County will receive credit for the cost difference between an eight-inch and ten-inch line. The County will be billed "outside of City limits" rates for the metered water service.

The County expects to take this agreement to the Board of Supervisors in November.

This item was removed from the Consent Calendar by Council Member Nakanishi who posed questions regarding the matter to Public Works Director Prima, asking if the City had other like agreements.

Following a brief discussion, the City Council, on motion of Council Member Nakanishi, Hitchcock second, unanimously adopted Resolution No. 99-159 authorizing the City Manager to execute an agreement between the City of Lodi and the Sunnyside Water and Street Lighting Maintenance District for a water line interconnect project.

- b) Agenda item #E-8 entitled, "Approve the Functional Classification System Map for streets within the City of Lodi".

Public Works Director Prima reported that Caltrans has requested the City and other public agencies review and update the Street Functional Classification System Maps within their jurisdictions. The last time these maps were approved by City Council was in 1987. In 1992, the Public Works Department submitted map revisions based on new City boundaries and changes to reflect the City's Street Master Plan.

The Functional Classification System Map includes the urban City boundaries, streets functionally classified as "urban principal arterial", "minor arterial", and "collector". The remaining streets are considered "local". The designation and classification of the streets are based on the criteria established by the Federal Highway Administration (FHWA).

The difference between the classifications is not critical; however, generally use of federal funds may be limited on "local" streets. Another aspect of the System Map is that speed limits set on streets designated with functional classifications must be established by an Engineering and Traffic Survey in order to use radar enforcement per the California Vehicle Code.

Under past federal funding rules, it appeared to be advantageous to have as many streets as possible with functional classifications and Lodi's map reflects this. However, the rules have been broadened and it is unlikely that federal funds would be used for maintenance of all these streets. Thus, staff recommended that some of the residential collectors be "demoted" to local status on the System Maps. The City will then have more flexibility in establishing speed zones as well as constructing traffic calming features on these facilities. The streets that staff recommended changing to local status are streets of residential nature, within a quarter mile of an adjacent arterial or collector, and do not have signalized access at the connections with other collectors and/or arterials.

In accordance with the FHWA guidelines, staff recommended removing six street segments, adding two street segments, and modifying the classification on one street segment.

The following streets were recommended to be removed, added or modified:

Remove (designate local)

- Almond Drive
- Brandywine Drive
- Evergreen Drive from Elm Street to the south end
- Fairmont Avenue from Lodi Avenue to Kettleman Lane
- Holly Drive
- Rutledge Drive

Add or Modify Classification Type

- Mills Avenue from Royal Crest Drive to Kettleman Lane
- Kettleman Lane from Highway 99 to New Beckman Road
- Pine Street from Cherokee Lane to Guild Avenue

There are also some minor map corrections that were recommended to reflect the City's current street system.

Council Member Hitchcock posed questions regarding the matter, which were responded to by staff.

Following discussion, the City Council, on motion of Council Member Hitchcock, Pennino second, unanimously adopted Resolution No. 99-160 approving the Functional Classification System Map for streets within the City of Lodi.

- c) Agenda item #E-9 entitled, "Authorize the City Manager to execute a schematic design contract for the new Police building, 200 block of West Elm Street".

Public Works Director Prima reported that at its September 2, 1998 meeting, the City Council authorized the City Manager to execute a professional services agreement with George Miers & Associates to establish a master plan and space needs evaluation of the existing Public Safety Building. This work has been completed.

At a special City Council meeting on August 25, 1999, Council directed staff to move forward with the design process for a new police building on the North side of Elm Street. The first step in this process is schematic design. Schematic design establishes the scope of the project, including the site plan, floor plans, layout, building elevations and design sections, written description of site and building systems (electrical, mechanical, security, etc.) and an associated "framework" project cost estimate.

Council Member Hitchcock indicated her opposition to spending any money until the funding sources are determined. It was explained by staff that proceeding with the schematic design would put a dollar figure to the project. Additionally, in order to search out grants or other funding sources, a plan (or scope of project) must be determined.

Following additional discussion, the City Council, on motion of Council Member Pennino, Nakanishi second, unanimously authorized the City Manager to execute a contract with George Miers & Associates, of Moraga, for the schematic design of the new Police Department building, and to execute contract change orders, as needed, for this project.

- d) Agenda item #E-11 entitled, "Amend Traffic Resolution to adopt multi-way stop at Elm Street and Evergreen Drive".

Public Works Director Prima reported that at the October 6, 1999 City Council meeting, Elm Street residents brought their concerns about speeding and safety of Elm Street between Evergreen Drive and Lower Sacramento Road and for traffic control at Evergreen Drive and Elm Street. City Council directed the Public Works Department to review these concerns and also directed the Police Department to increase enforcement in this area.

In January 1999, staff brought a report to City Council on a three-way stop study for the Elm Street and Evergreen Drive intersection. According to the study, the intersection did not meet State guidelines for three-way stop signs. At that meeting, staff recommended installing no-parking zones adjacent to the intersection corners to enhance safety. These improvements were completed on January 29, 1999.

Since the previous study, there have been no collisions on the Elm Street segment and one reported collision on Evergreen Drive south of Elm Street. This collision involved a parked motorist leaving the curb and a motorist turning south from Elm Street to Evergreen Drive. Stop signs would not have affected or prevented this collision.

Staff was unable to update the traffic counts in time to include them with the report. There has been some new construction in the area since the previous count, and more is planned. However, most likely not enough to meet the State's guidelines for three-way stop control.

Given the length of Evergreen Drive and the conflicting nature of the turning movements, a multi-way stop at this location as part of overall neighborhood traffic management is reasonable. As part of the overall neighborhood traffic management, staff has worked with the developer building homes on the south side of Elm Street at Lower Sacramento Road to install three short landscaped islands in the wide portion of Elm Street. In addition to the aesthetic improvement, this is a "traffic calming" feature which should help reduce traffic speeds.

The residents also requested bicycle lanes be installed on Elm Street connecting to the existing bicycle lanes on Evergreen Drive and Elm Street east of Lower Sacramento Road. Bicycle lanes are planned to be installed once construction on the south side of Elm Street is completed. This work will be done soon.

Council Member Hitchcock voiced her concern that installing this multi-way stop did not meet the necessary warrants and questioned what liability the City assumes in doing so. Public Works Director Prima responded that he felt it safe and prudent to install this multi-way stop at Evergreen Drive and Elm Street.

The City Council, on motion of Mayor Pro Tempore Mann, Hitchcock second, unanimously adopted Resolution No. 99-161 amending Traffic Resolution 97-148 to establish a multi-way stop at the intersection of Evergreen Drive and Elm Street.

- e) Agenda item #E-12 entitled, "Addendum to Boys and Girls Club City lease to accommodate F&M Bank financing".

(Due to a conflict of interest, Mayor Land and Mayor Pro Tempore Mann abstained from discussion and voting on this matter and vacated the Council table.)

City Manager Flynn informed the City Council that the Lodi Boys and Girls Club is working toward restructuring the Club's debt. They are working with Farmers & Merchants Bank

to accomplish this. In order for the Bank to proceed, certain concessions by the City are necessary relative to the lease between the City and the Lodi Boys & Girls Club. Based upon direction received from the City Council, a Lease Addendum has been prepared to effectuate the direction given. Approval by the Council on this matter will allow the restructuring of the Lodi Boys & Girls Club debt to be finalized by F&M Bank.

Following a brief discussion, the City Council, on motion of Council Member Hitchcock, Nakanishi second, adopted Resolution No. 99-158 amending the lease between the City of Lodi and the Lodi Boys & Girls Club to accommodate F&M Bank financing by the following vote:

Ayes: Council Members – Hitchcock, Nakanishi and Pennino
Noes: Council Members – None
Absent: Council Members – None
Abstain: Council Members – Mann and Land (Mayor)

7. RECESS

Mayor Land called for a ten-minute recess, and the City Council meeting reconvened at approximately 8:30 p.m.

8. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Land called for the Public Hearing to consider the Planning Commission's recommendation that the City Council adopt a General Plan Amendment, and Prezone requested by the Episcopal Church of St. John the Baptist for the property located at 15567 Lower Sacramento Road and to initiate annexation of the property into the City of Lodi.

Community Development Director Bartlam reported that the Episcopal Church of St. John the Baptist is proposing to locate their new church facility on a 10-acre piece of property located at 15567 Lower Sacramento Road, APN #027-050-05. This property is currently in San Joaquin County, located on the west side of Lower Sacramento Road one parcel south of Vine Street. Prior to beginning any work on the new site, St. John's Church has applied for a General Plan Amendment and Prezoning.

On September 22, the Planning Commission held a Public Hearing to consider the request. Subsequent to staff's presentation, there were questions from the Commission about the master plan for the church complex, including the on-site storm drainage basin, and the site's relationship to future surrounding development. Staff went into a little more detail about future development in this area, including street extensions and utilities. Further, staff highlighted the fact that the basin would be constructed with the first phase of development, and that final approval of any plan under the new Planned Development No. 34 would be subject to Site Plan and Architectural Review Committee (SPARC) review and approval. We received one letter in opposition to this annexation. In addition, an adjacent property owner on the south who actively farms his property also spoke against the proposed conversion of farmland to urban uses. Staff explained that the City does have an ordinance protecting active farming operations in and around the City. Following this discussion period, the Commission approved a recommendation to the Council for a General Plan Land Use Amendment to change from PR, Planned Residential to LDR, Low Density Residential; and for a Prezoning from AU-20 (County zoning), to Planned Development (PD) No. 34. This recommendation also comes with a request to initiate annexation of the property into the City of Lodi.

The master plan for the new site includes relocating the existing church from 310 West Locust Street to the new site, building a new 8,500 square-foot church building and 1,400 square-foot fellowship hall, adding 26 units of senior housing, constructing a preschool through sixth grade school, and adding structures for administration and music. Finally, the site will include all required infrastructure such as landscaping, parking and driveways, and will also feature an on-site storm water detention basin/play field. According to church representatives, all future church operations will be relocated to the new Lower Sacramento Road site, and the West Locust Street properties will be sold.

The General Plan Amendment, Prezoning, and initiation of the annexation are the first steps necessary to develop this property, if it is to be done within the City of Lodi. In all likelihood, San Joaquin County and the Local Area Formation Commission (LAFCO) would be opposed to allowing urbanization to occur so close to the incorporated boundary, yet still be in the county. The area is included in the City's General Plan sphere of influence, meaning the City has expectations about development at this location. We have anticipated growth and expansion of City boundaries here, and are prepared to accommodate this property from a City services standpoint, so it makes sense to all parties involved that prior to any development, the property be brought under the auspices of the City.

If and when the requested actions are approved by the City Council and the Local Area Formation Commission (LAFCO), Phase I of the project, including work involving the old church, the new worship center, the basin, and related infrastructure and parking improvements, will still be subject to SPARC approval prior to breaking any ground. Future phases of this project will require additional Use Permit and SPARC approvals. Staff sees no objection to annexing this property to the City and changing the land use designations to permit development of the type that will be proposed under Planned Development No. 34.

Mr. Bartlam presented diagrams of the subject site and responded to questions regarding the matter as were posed by members of the City Council. Mr. Bartlam was asked about the City's Right to Farm Ordinance and how adjoining agricultural properties to the subject site would be affected.

Hearing Opened to the Public

1. Father Rick Matters, representing the Episcopal Church of St. John the Baptist, 1200 West Locust Street, Lodi, provided background information regarding this matter. Father Matters then responded to questions as were posed by members of the City Council.
2. Francis Gutierrez, 383 Taylor Road, Lodi, asked how this annexation would affect her property. She was assured that it would not.

Public Portion of Hearing Closed

ACTION:

Following discussion, the City Council took the following actions:

- On motion of Mayor Pro Tempore Mann, Pennino second, unanimously adopted Resolution No. 99-162 entitled, "A Resolution Of The Lodi City Council Amending The Land Use Element Of The Lodi General Plan By Redesignating The Property Located At 15567 Lower Sacramento Road From PR, Planned Residential To LDR, Low Density Residential";

- On motion of Mayor Pro Tempore Mann, Pennino second, unanimously introduced Ordinance No. 1681 entitled, "An Ordinance Of The Lodi City Council Amending The Official District Map Of The City Of Lodi And Thereby Rezoning The Parcels Located At 15567 Lower Sacramento Road (APN #027-050-05) To PD, Planned Development No. 34"; and
 - On motion of Mayor Pro Tempore Mann, Pennino second, unanimously adopted Resolution No. 99-163 entitled, "A Resolution Of The Lodi City Council For Application To The San Joaquin County Local Agency Formation Commission In The Matter Of The Proposed St. John's Episcopal Church Annexation/Reorganization, Including The Detachment Of Certain Territory Within The Area Proposed For Annexation To The City Of Lodi".
- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Land called for the Public Hearing to consider the Planning Commission's recommendation that the City Council adopt a Prezone requested by Oliver Tecklenburg and William Beckman for the property located at 5212 and 5333 East Kettleman Lane and to initiate annexation of the property into the City of Lodi.

Community Development Director Bartlam reported that the request of Oliver Tecklenburg and William T. Beckman is the first step in the annexation process. The nine-acre parcel and the 18-acre parcel are adjacent to each other at 5212 and 5333 East Kettleman Lane, and are directly adjacent to the existing City boundaries. When the General Plan was adopted by the City Council in 1991, several blocks of land in the industrial corridor east of Highway 99 within the sphere of the General Plan, including the subject properties, were designated LI, Light Industrial. Therefore, no General Plan Amendment is necessary, only the Rezoning.

On September 22, the Planning Commission held a Public Hearing to consider the request. Subsequent to staff's presentation, there were several questions from the Commission about the annexation and its implications on development in this area. In response, Community Development Director Bartlam provided some insight about the overall development of the industrial area east of Highway 99 as well as the potential for locating a business park in this area. Commissioners also asked for more detail and clarification about what is and is not allowed in the U-H, Unclassified Holding District. Following this question and answer period the Commission approved a recommendation to the Council for the Rezoning from A-U, Agricultural Urban Reserve to U-H Unclassified Holding. This recommendation also comes with a request to begin the annexation proceedings.

Staff feels that annexation of the two subject properties makes sense from a Planning perspective. While there are no plans for development at this time, the properties are contiguous to existing City boundaries. The City has anticipated adding this land to the City as evidenced by the City General Plan designation of LI Light Industrial on these properties, which is already in place. Furthermore, the City is prepared to provide service such as water and sewer to this location. However, we do have reservations about opening the door at this time for development without any foreknowledge about what may take place. In order to maintain a comfortable level of control over development that may occur here, we are recommending the U-H, Unclassified Holding District zoning be placed on the land at this time.

The U-H, Unclassified Holding District, Section 17.54.020(B) of the Zoning Ordinance reads, "*This district designates land to be held in an agricultural, non-urban state as reserve for future uses. Land will be held in this district until a need for the land exists, at which time it will be developed in a manner pending proper timing for the economical provision of utilities, major streets, and other facilities*".

Section 17.54 goes on to list the following permitted uses in the U-H zone, as follows:

1. Single family dwellings. . . each lot being a minimum of twenty acres;
2. Farms and ranches. . .
3. Farms and ranches for the grazing of cattle, sheep, or horses. . . provided that such grazing is not a part of nor conducted in conjunction with any dairy, livestock feed yard, livestock sales yard or other prohibited use;
4. Public recreation and parks areas.

Several other conditional uses are permitted in the U-H zone which are in one way or another accessory or related uses to those listed above. Such conditional uses are supportive of or tied to either agriculture, livestock, or recreational uses. In addition, buildings and uses of an administrative, educational, religious, cultural, or public service type similar to those allowed in an R-1 zone with a Use Permit are allowed in the U-H district.

A major City Council project for the coming two years is the development of a business park. Business parks are generally considered a higher end industrial development that is attractive to companies looking for an image conscious location. The City, in cooperation with the San Joaquin Partnership, believes the area located along Kettleman Lane east of Highway 99 is well suited for this type of development. Therefore, one of the tasks that has been given to our Zoning Code consultant is to develop a new zoning district that would accommodate this standard. It is anticipated once this work is complete, the property would be re-zoned to that district. While we do not like to generalize about the type of end user, it is rather common for high tech industries to want this increased level of development quality. Unfortunately, there are not any examples within the County; however, the Solano Business Park in Fairfield and Hacienda in Pleasanton, are along the lines envisioned. Since continued development of our industrial corridor on the east side of Highway 99 should be furthered by taking the subject properties into the City at this time, we favor the Annexation and Rezoning to U-H, Unclassified Holding District.

Mr. Bartlam presented diagrams of the subject area and responded to questions regarding the matter as were posed by members of the City Council, including questions regarding the need for a Business Park in Lodi.

Hearing Opened to the Public

There were no persons wishing to speak on this matter.

Public Portion of Hearing Closed

ACTION:

Following discussion, the City Council took the following actions:

- On motion of Mayor Land, Pennino second, unanimously introduced Ordinance No. 1682 entitled, "An Ordinance Of The Lodi City Council Amending The Official District Map Of The City Of Lodi And Thereby Rezoning The Parcels Located At 5215 And 5333 East Kettleman Lane (APN #049-070-25 And 049-070-24) To U-H, Unclassified Holding District"; and
- On motion of Mayor Land, Pennino second, unanimously adopted Resolution No. 99-164 entitled, "A Resolution Of The Lodi City Council For Application To The San Joaquin County Local Agency Formation Commission In The Matter Of The Proposed Tecklenburg/Beckman Annexation/Reorganization, Including The Detachment Of Certain Territory Within The Area Proposed For Annexation To The City Of Lodi".

9. COMMUNICATIONS (CITY CLERK)

- a) On recommendation of the City's Risk Manager and/or the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), the City Council, on motion of Council Member Hitchcock, Land second, unanimously rejected the following claims:
 - 1. Violet Humphreys, date of loss 9/1/99
 - 2. Hilma Weir, date of loss 5/16/99
 - 3. Richard Reid, date of loss 9/21/99
- b) City Clerk Reimche read the following ABC Licenses:
 - 1. Irene Beas et al., Casa Mexicana, 1110 West Kettleman Lane, Unit 1, Lodi, On-Sale Beer and Wine, Original License

10. REGULAR CALENDAR

- a) Agenda item #H-1 entitled, "Plans and specifications and advertisement for bids for constructing portions of Lodi Lake Beach and West Side (undeveloped area) Trail Improvements".

Parks Superintendent Dauber reported that this project, Phase I, was first presented to Council at the September 15th meeting. The project at that time proposed the removal of 14 remaining trees. With a lot of public concern over removal of trees, Council set an on-site Shirtsleeve Session on October 5th and directed staff to redesign the trail and present alternatives at that time. At the Shirtsleeve Session, staff presented four alternatives with all but the "do nothing" alternative requiring removal of at least four trees.

Subsequent to the Shirtsleeve Session, staff looked at two additional options specifically looking at what could be done to preserve all the trees. One option would require the transplanting of the four trees in question at a cost of approximately \$8,000 each or \$32,000 total. The survival rate for digging up and transplanting is 50%. The other option is to allow a gap in the levee whereby the grade of the existing trees can remain, push the trail further toward the water, remove the proposed wall and be willing to sandbag the gap in the levee. The following three options were presented to the City Council, including diagrams of each Option (all of which are on file in the City Clerk's Office):

Option 1 (No Project)

This option does not eliminate or effect any trees. It does not address or resolve issues of unsafe bicycling on the west side including dangerous exit of bicycles into traffic on Turner Road. This option does not address the hazardous sidewalk or sinking retaining wall on Turner Road. This option does not create a trail system to utilize the park and enjoy its amenities.

Option 2 (Exhibit on file in the City Clerk's Office)

This option requires the transplanting of four trees at a cost of \$8,000 per tree for a total of \$32,000. The survival rate for transplanting is 50%. It does eliminate all unsafe conditions by building the new trail as originally proposed and presented at the on-site Council Shirtsleeve Session.

Option 3 (Exhibit on file in the City Clerk's Office) Preferred option

This option would not effect any trees or require their relocation. The differences between this option and Option 2 are:

- 1. It requires the trail to move out around the trees toward the beach more.
- 2. It requires the beach to move out into the water another 20 feet.
- 3. It eliminates the use of a retaining wall to maintain the flood control elevation and instead will require sandbagging the opening of the trail at the Mills avenue crossing at flood stages.

A total saving with this option over Option 2 is approximately \$67,000. It will create a very pleasing opening in the levee at the Mills intersection to actually view into the lake by eliminating the wall and lowering the levee in this area.

Staff has consulted with the Community Development Director and Public Works Director as to Option 3 and its viability and workability. They have concurred that Option 3 is the best option.

The Job Corps/Operating Engineers will be doing the removal of the Turner Road wall and sidewalk, all the grading, and preparation work for the new trail. Their work will start the week of November 15th.

Advertisement for bids is for the following work: trail and park lighting, new PA system for lifeguards, electrical, asphalt trail, wrought iron fence, covered shelter, concrete walkways, and new bulkhead and railing along the lake.

Speaking on the matter were the following persons:

1. Vi Riggle, 712 North Cross Street, Lodi, encouraged the City Council to leave the lake as it is.
2. Robert Riggle, 712 North Cross Street, Lodi, stated that he feels there had not been public meetings regarding the proposed fencing. He does agree that there needs to be a decent sidewalk on Turner Road and concluded that he is opposed to Option 3. Mr. Riggle also talked about his opposition to bicycle lanes on City streets, especially on thoroughfares.
3. Robert Raingruber, President of the Friends of Lodi Lake, 127 Mokelumne Drive, Lodi, talked about what is right for Lodi Lake. He feels there is a sense of urgency community leaders seem to have to seek out maximum use of this park. He suggested that the proposed shade structure be a portable structure.
4. Bonnie Raingruber, 127 Mokelumne Drive, Lodi, stated her opposition to the proposed shade structure. Mrs. Raingruber suggested that in the future there be public notification in the local newspapers for any proposed improvements to Lodi Lake Park.
5. Gerald Houtsma, 900 Kramer Drive, Lodi, suggested that if the City does go forward with Option 3, the Parks and Recreation Commission should look at establishing a policy regarding late parties at the site and restrictions as to amplification.
6. Donna Phillips, 1040 Laurel, Lodi, stated that the population of animals in the nature area is down 65% and she feels that this has been caused by the amount of usage of the park. She talked about noise amplification across the lake. She asked the City Council not to go forward with commercialism at Lodi Lake Park.

Parks and Recreation Director Williamson addressed the City Council regarding the long-range plans for Lodi Lake, which had been developed a number of years ago. It was suggested that perhaps these plans are outdated and that the entire matter be revisited. It was also suggested that perhaps public meetings be held to find out what the people of Lodi want for Lodi Lake.

Following additional discussion, the City Council, on motion of Council Member Pennino, Nakanishi second, unanimously approved the plans and specifications for constructing portions of Lodi Lake Beach and West Side (undeveloped area) Trail Improvements under Option 3 with no tree removal and with the proposed shade structure and authorized advertisement for bids.

- b) Agenda item #H-2 entitled, "Authorize the City Manager to enter into a construction agreement with Job Corps/Operating Engineers for construction of Lodi Lake Beach/West Side (undeveloped area) Trail Improvements".

Parks Superintendent Dauber reported that the Lodi Lake Beach/Trail project is a two-phase project. Phase I includes the beach and Turner Road from the beach house to Mills Avenue intersection. The Job Corps/Operating Engineers have agreed to do this public service project for the City of Lodi by performing the following work: supply labor and equipment to remove the wall and sidewalk along Turner Road; remove tree root balls; grade for new trail including relocating berm and grading of beach. Value of this service is estimated to be \$50,000. As part of this agreement, the City is to provide fuel for equipment, dust control, traffic control, construction staking, transportation of equipment, and design. This project is to start mid-November.

Following discussion, the City Council, on motion of Council Member Pennino, Hitchcock second, unanimously adopted Resolution No. 99-165 authorizing the City Manager to sign a construction agreement with Job Corps/Operating Engineers for construction of Lodi Lake Beach/West Side Trail Project with the language regarding tree removal deleted from the agreement.

11. ORDINANCES

None.

12. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) The following people addressed the City Council expressing their concern regarding the parking of vehicles for sale on Cochran Road, which has resulted from an overflow of vehicles for sale being parked on Lower Sacramento Road:
1. Denise Sanguinetti, 2434 Summerset Court, Lodi.
 2. James Coward, 2329 Wintergreen Court, Lodi.
 3. Susan Leveroni, 2422 Summerset Court, Lodi.
 4. Mayor Land stated that he had received a letter from a resident of the area, Dwight Ota, 2116 Wintergreen Court, which included several photographs depicting the problem. The photographs were distributed for Council's perusal.
 5. A letter was also received regarding this matter from Chad Barrow, 2315 Wintergreen Court, Lodi.
 6. Several persons who addressed the City Council suggested that other California cities have ordinances banning or restricting the parking of vehicles for sale on public streets.
 7. Beryl Georguson, 2223 West Cochran Road, Lodi, stated that this had been tried before in the City of Lodi, but that the ordinance had been appealed and overturned.
 8. Mayor Pro Tempore Mann asked that this matter be put on the agenda for the City Council meeting of November 3, 1999, including the parking of vehicles for sale on Lower Sacramento Road and Cochran Road.
- b) John Johnson, Orange Street, Lodi, stated that he would like to see the present boat ramp at Lodi Lake refurbished to allow handicapped people to board the City's tour boat. Mr. Johnson encouraged the City Council to look into the matter.

Mr. Johnson then asked for a copy of a City ordinance or resolution that deals with the City Parks and Recreation Department needing to serve people living outside the City Limits of Lodi.

Finally, Mr. Johnson spoke about the City's boys' and girls' basketball programs stating that it is his understanding that not all boys' teams have been filled while girls' teams are being cut because there are more girls signing up than there are team openings. Mr. Johnson asked that the City look into this matter.

13. VOTE TO CONTINUE WITH REMAINDER OF MEETING

Pursuant to the Lodi Municipal Code, the City Council, on motion of Mayor Pro Tempore Mann, Pennino second, unanimously voted to continue with the remainder of the meeting following the 11:00 p.m. hour.

14. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- a) Council Member Nakanishi stated that he was in receipt of a letter from Ronald and Karen Williams indicating their amazement of the big truck traffic on Turner Road between Highway 99 and Lower Sacramento Road, especially since there are signs by the 99 overpass and the entrance to General Mills which limits truck traffic to local deliveries.

The letter concludes that they realize General Mills is an integral part of the economic community of Lodi, but asked if it would pose such a financial burden if their truck traffic used Kettleman Lane or the cross-town freeway in Stockton if they are coming from the south. Council Member Nakanishi asked that the letter be forwarded to Public Works Director Prima.

Council Member Nakanishi presented a letter that had been received from Bob Padden, 18600 Olive Street, Woodbridge, indicating that there appears to be an inappropriate "No Left Turn" sign on the south end of Lilac where it meets Eilers Lane. East one block is Lower Sacramento Road and west one block is Woodhaven. Woodbridge School faces Lilac and the teachers and staff plus some students enter from Academy, which borders the school on the north. The main entrance is on Lilac. Parents coming from other parts of Lodi tend to turn off Lower Sacramento Road using the left turn lane at Eilers Lane but can not legally return the same way. Instead they proceed on Lilac to Academy, turn east to Lower Sacramento. In doing so they cross pedestrian and vehicular traffic going into the school from Academy. Alternatively, they can return to Eilers Lane and turn west to Woodhaven. Woodhaven is a difficult street to turn left onto at that hour because of the commute traffic. Mr. Padden asked that the City Council review this matter. Council Member Nakanishi asked that the matter be referred to Public Works Director Prima.

- b) Council Member Hitchcock stated that she is glad that the City Council is going to take a comprehensive look at the parking of vehicles for sale on local streets, but she is concerned that we seem to be rushing into the matter by asking that it be placed on the November 3, 1999 agenda. She stated that she feels we should take a longer period of time to study the issue.

Council Member Hitchcock stated that several years ago the City Council overturned the Planning Commission's recommendation regarding the passage of a Heritage Tree Ordinance and asked that this subject be revisited.

Council Member Hitchcock talked about the recent defeat of the proposed school bond issue and how that is going to impact our community. She suggested that the City Council look at adopting a "growth moratorium" for one year on issues impacting our quality of life in this community. She suggested that this proposed moratorium regarding quality of life issues be discussed at a future Shirtsleeve Session or City Council Meeting. Discussion followed with the suggestion that perhaps the recently formed 2 x 2 x 2 Committee review this matter.

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Council Member Hitchcock stated that she had recently attended a public hearing regarding the proposed Lodi Gas Storage proposal and stated that she feels there is a lot of concern in the community about the impact this proposed project would have on the City of Lodi. Council Member Hitchcock stated that she felt the City Council should take a stand on the matter and state that they are opposed to it. She suggested that this subject be placed on a future agenda.

Discussion followed with questions being raised about whether the City should involve itself as the proposed project is outside the City limits. Council Member Pennino cautioned the City Council about taking a position on this matter as the City is presently looking at a proposed transmission line that will be subject to review. Following additional discussion, there was a tacit concurrence that this subject should be placed on a future agenda.

15. CLOSED SESSION

Mayor Land adjourned the City Council meeting at approximately 11:35 p.m. to a Closed Session to discuss the following matters:

- a) Conference with labor negotiator, Human Resources Director Joanne Narloch, regarding Lodi Police Dispatchers' Association (LPDA) pursuant to Government Code §54957.6
- b) Conference with labor negotiator, Mayor Keith Land, regarding United Firefighters of Lodi (UFL) pursuant to Government Code §54957.6
- c) Conference with labor negotiator, Human Resources Director Joanne Narloch, regarding Lodi Police Officers Association (LPOA) pursuant to Government Code §54957.6
This matter was continued to this agenda from the Special City Council meeting of October 19, 1999.

16. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

The City Council meeting reconvened at approximately 12:20 a.m., and the following actions were disclosed:

In regards to items a) and b), there was no final action taken in these matters, and regarding item c) the City Council, on motion of Mayor Pro Tempore Mann, Land second, unanimously adopted Resolution No. 99-155 accepting the Lodi Police Officers' Association (LPOA) Memorandum of Understanding (MOU).

14. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at approximately 12:20 a.m., Thursday, October 21, 1999.

ATTEST:

Alice M. Reimche
City Clerk